

# Exhibit 8

**SUSAN MARGULIS**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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SIERRA BOUCHER, LILY ENGEBRECHT,  
NATASSIA TUHOVAK, HANNAH WHELAN, and  
CASSIDY WOOD,

Plaintiffs,

- against - Case No.  
1:22-cv-00381-CCR

TRUSTEES OF CANISIUS COLLEGE,

Defendant.  
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Examination before trial of **SUSAN**  
**MARGULIS**, Defendant, taken pursuant to the Federal  
Rules of Civil Procedure, in the offices of JACK W.  
HUNT & ASSOCIATES, INC., 1120 Liberty Building,  
Buffalo, New York, on September 19, 2024,  
commencing at 12:00 p.m., before MEGAN TITUS,  
Notary Public.

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1 APPEARANCES: LAW OFFICE OF DANIELA NANAU, P.C.,  
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Appearing for the Plaintiffs.

5 HODGSON RUSS LLP,  
6 By THOMAS S. D'ANTONIO, ESQ.,  
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Appearing for the Defendant.

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12:36:40 1           **A.**     I believe so.

12:36:40 2           **Q.**     Okay. Did Dr. Waldau ever tell you  
12:36:43 3 that he made a complaint to Ms. Mangione regarding  
12:36:48 4 Dr. Noonan?

12:36:49 5           **A.**     No.

12:36:49 6           **Q.**     How often did you talk to Dr. Waldau?

12:36:54 7           **A.**     He was usually on campus only a couple  
12:36:57 8 of days a week. During department meetings maybe.

12:37:01 9           **Q.**     Okay. And Dr. Waldau -- did he teach  
12:37:05 10 undergraduate classes or was it only graduate  
12:37:08 11 classes in the anthrozoology master's program?

12:37:12 12          **A.**     He taught both.

12:37:15 13          **Q.**     Okay. Did there come a time when a  
12:37:31 14 student at Canisius by the name of Natassia Tuhovak  
12:37:37 15 came to you to complain about Dr. Noonan's conduct?

12:37:40 16          **MR. D'ANTONIO:** Objection to form.

12:37:42 17          **THE WITNESS:** She came to talk to me. It  
12:37:44 18 wasn't about his conduct.

12:37:46 19          **BY MS. NANAU:**

12:37:46 20          **Q.**     Okay. What was the meeting about?

12:37:48 21          **A.**     She wanted to leave his research team  
12:37:52 22 because she was too overwhelmed. She was a triple  
12:37:55 23 major. She was overwhelmed with school work. And

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12:38:00 1 she was concerned about how he would react.

12:38:03 2 Q. Okay. And what did you tell

12:38:09 3 Ms. Tuhovak in response to her concerns that she  
12:38:13 4 raised regarding Dr. Noonan?

12:38:15 5 A. I told her a lot of students leave  
12:38:18 6 research teams. He probably wouldn't be happy. He  
12:38:23 7 might yell, but to just tell him that she doesn't  
12:38:25 8 have the time to put into him -- to put into it.  
12:38:27 9 To thank him and leave.

12:38:29 10 Q. Okay. And did you memorialize that  
12:38:32 11 conversation anywhere?

12:38:33 12 A. Just when I tried to summarize events  
12:38:37 13 for the purposes of this proceeding.

12:38:39 14 Q. Do you know when this meeting with  
12:38:44 15 Ms. Tuhovak took place?

12:38:45 16 A. 2018-2019. The dates are there, I just  
12:38:54 17 don't recall --

12:38:55 18 Q. Okay.

12:38:56 19 A. -- approximate dates.

20 **The following was marked for Identification:**

21 **PLAINTIFF'S EXH. Calendar appointment with**  
22 **37 Natassia Tuhovak, 3/13/18**

23

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12:40:53 1 Q. Okay. But other than this document,  
12:40:57 2 you don't have anything in your possession that  
12:41:00 3 reflects what was discussed with Ms. Tuhovak during  
12:41:05 4 the meetings other than the document that you've  
12:41:08 5 described already, right?

12:41:10 6 A. That is correct.

12:41:10 7 Q. Okay. In 2018, do you recall anyone  
12:41:16 8 else coming to you -- any student at Canisius to  
12:41:20 9 complain about Dr. Noonan's conduct?

12:41:22 10 A. The academic year or the calendar year?

12:41:27 11 Q. It can be either the academic year or  
12:41:30 12 the calendar year. I'm specifically interested in  
12:41:34 13 2018.

12:41:35 14 A. I believe it was 2018, end of the year  
12:41:38 15 that I had another student come to me.

12:41:40 16 Q. And who was that student?

12:41:44 17 A. [REDACTED]

12:41:47 18 Q. What did [REDACTED] complain to you  
12:41:50 19 about?

12:41:50 20 A. She had some complaints about certain  
12:41:53 21 topics that Dr. Noonan lectured on in his class Sex  
12:41:58 22 Evolution and Behavior.

12:41:59 23 Q. Okay. And so what was the concern

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12:42:03 1 regarding the topics that Dr. Noonan discussed in  
12:42:06 2 Sex Evolution and Behavior that [REDACTED]  
12:42:13 3 complained to you about?

12:42:14 4 **A.** She felt that they were a little  
12:42:16 5 intrusive and personal.

12:42:17 6 **Q.** Did she explain what she meant by  
12:42:21 7 intrusive and personal?

12:42:23 8 **A.** She explained what the lesson was  
12:42:26 9 about.

12:42:26 10 **Q.** Okay. Do you recall what she told you?

12:42:28 11 **A.** Dr. Noonan was showing pictures of men  
12:42:31 12 and women. I don't believe they were naked  
12:42:36 13 pictures. They were just men and women, like,  
12:42:39 14 models and asking students to rate them, how  
12:42:44 15 attractive they thought they were.

12:42:46 16 **Q.** Is there anything else that  
12:42:51 17 [REDACTED] shared with you regarding her  
12:42:54 18 complaint that Dr. Noonan engaged in conduct that  
12:42:58 19 was intrusive and personal?

12:42:59 20 **A.** She felt that it targeted LGBTQ  
12:43:06 21 students more so than it should have.

12:43:08 22 **Q.** Did she explain to you how Dr. Noonan  
12:43:13 23 targeted LGBTQ students?

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12:43:17 1           **A.**     Asking specific students what they  
12:43:20 2 thought of pictures.

12:43:22 3           **Q.**     Did [REDACTED] share with you that  
12:43:25 4 Dr. Noonan conducted a survey on the sexual history  
12:43:31 5 and sexual practices of students in the class?

12:43:35 6           **A.**     I believe she did.

12:43:40 7           **Q.**     Is that the first time you heard about  
12:43:44 8 the survey -- the sex survey in the Sex Evolution  
12:43:48 9 class?

12:43:49 10          **A.**     I believe he had been doing that every  
12:43:52 11 year.

12:43:52 12          **Q.**     And how do you know that?

12:43:52 13          **A.**     Other students -- well, we had faculty  
12:43:54 14 that were students in that class years before.

12:43:57 15          **Q.**     Okay. So is that Dr. Suchak and  
12:43:59 16 Dr. Russell?

12:43:59 17          **A.**     Probably.

12:44:00 18          **Q.**     Do you have a recollection of  
12:44:03 19 Dr. Suchak sharing with you information about the  
12:44:06 20 sex survey in Dr. Noonan's Sex Evolution and  
12:44:11 21 Behavior class?

12:44:11 22          **A.**     I believe she said nobody really filled  
12:44:15 23 it out seriously.

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13:18:30 1 yelling and hostility.

13:18:32 2 Did I read that correctly?

13:18:34 3 **A.** Yes.

13:18:34 4 **Q.** What does hearsay mean in this context?

13:18:37 5 What are you trying to convey?

13:18:39 6 **A.** The student never came and talked to me

13:18:42 7 about what happened. I think one of the other

13:18:44 8 students on the research team might have said, oh,

13:18:48 9 yeah; I heard that he yelled, but I don't recall.

13:18:50 10 **Q.** So someone -- so another student other

13:18:51 11 than Natassia Tuhovak told you that Dr. Noonan

13:18:56 12 yelled at Natassia Tuhovak when she said she didn't

13:18:59 13 want to be on his research team anymore?

13:18:59 14 **A.** That is correct. However, she never

13:19:03 15 left his research team.

13:19:06 16 **Q.** Okay. What is the point that you

13:19:09 17 wanted to make with that statement?

13:19:13 18 **MR. D'ANTONIO:** Other than what she just

13:19:16 19 said?

13:19:16 20 **MS. NANAU:** Yes. I want to know --

13:19:16 21 **THE WITNESS:** She never left the research

13:19:19 22 team even though I advised her to do so.

13:19:21 23 **BY MS. NANAU:**

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14:01:01 1 Dr. Noonan was removed from campus and you had to  
14:01:09 2 make decisions regarding coverage of his classes?

14:01:13 3 **A.** Yes.

14:01:13 4 **Q.** Okay. You were tasked with making  
14:01:19 5 decisions regarding coverage because you were the  
14:01:22 6 chair of the ABEC department at that time?

14:01:23 7 **A.** Yes.

14:01:24 8 **Q.** What was the coverage that you were  
14:01:35 9 responsible for after Noonan was removed from  
14:01:39 10 campus?

14:01:39 11 **A.** At the time, he was teaching Social  
14:01:44 12 Organization of Mammals with lab and the CAC course  
14:01:49 13 Project Tiger. I think that was all he was  
14:01:52 14 teaching.

14:01:52 15 **Q.** Okay. Who was the professor or  
14:01:57 16 professors who received overload pay for Social  
14:02:02 17 Organization of Mammals and the lab?

14:02:04 18 **A.** Dr. Suchak covered the class. And  
14:02:09 19 Dr. Suchak and I split coverage of the lab.

14:02:11 20 **Q.** When you and Dr. Suchak took over  
14:02:17 21 Social Organization of Mammals, did you have to  
14:02:22 22 amend the course syllabus in any way? Or did you  
14:02:25 23 just take over from where Dr. Noonan left off?

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14:02:30 1           **A.**     We amended it significantly.

14:02:32 2           **Q.**     Why did you do that?

14:02:33 3           **A.**     The syllabus was pretty bare bones and  
14:02:37 4 the coverage across the -- the class mammal was  
14:02:43 5 not -- was not adequately distributed across all of  
14:02:48 6 the families within that order, within that class.

14:02:52 7           **Q.**     So is it fair to say that you thought  
14:02:54 8 the syllabus wasn't sufficient?

14:02:56 9           **A.**     Yes, that is correct.

14:02:57 10          **Q.**     And then, you and Dr. Suchak worked to  
14:03:00 11 improve it?

14:03:00 12          **A.**     She handled the lecture. We  
14:03:04 13 collectively divvied up the labs.

14:03:08 14          **Q.**     With regard to the lecture component of  
14:03:11 15 Social Organization of Mammals, was that a class  
14:03:14 16 that met twice a week or more?

14:03:17 17          **A.**     Twice a week.

14:03:18 18          **Q.**     Okay. And with regard to the labs, how  
14:03:21 19 often did the lab meet?

14:03:24 20          **A.**     Every week. Every Saturday.

14:03:26 21          **Q.**     Every Saturday.

14:03:29 22                 Was it normal for ABEC department classes to  
14:03:32 23 occur on the weekends? Or is that something that

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14:21:14 1 Q. How did you know that most of their  
14:21:16 2 data was on videotape?

14:21:18 3 A. That's how Dr. Noonan collected data.

14:21:20 4 Q. And how was that communicated to you?

14:21:23 5 A. We talk about our research with our  
14:21:26 6 colleagues all the time. I knew what he was doing.

14:21:29 7 Q. Did you assign faculty to -- specific  
14:21:33 8 faculty to specific students to ensure that they  
14:21:37 9 could complete their research?

14:21:38 10 A. We assigned one faculty member to  
14:21:41 11 assist with data analysis for students who were  
14:21:47 12 completing projects.

14:21:48 13 Q. And who was that?

14:21:49 14 A. Dr. Christy Hoffman.

14:21:51 15 Q. And was that communicated to the  
14:21:54 16 students?

14:21:54 17 A. Yes.

14:21:54 18 Q. How was it communicated?

14:21:56 19 A. It was either via e-mail or I did have  
14:21:59 20 meetings with them so I could let them know.

14:22:02 21 Q. When did you have meetings with  
14:22:04 22 Dr. Noonan's research students?

14:22:06 23 A. Oh, probably within the week or so

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14:37:18 1           **A.**     Yes.

14:37:18 2           **Q.**     Okay. Were you aware that the Project  
14:37:25 3 Tiger students who came forward to complain about  
14:37:29 4 Dr. Noonan in early 2019, expressed a concern  
14:37:34 5 regarding their ability to complete the Project  
14:37:38 6 Tiger documentary?

14:37:38 7           **A.**     Yes.

14:37:38 8           **Q.**     Okay. So what was done to address that  
14:37:44 9 concern?

14:37:45 10          **A.**     We met with the students -- Dr. Russell  
14:37:49 11 and I, who took over oversight of Project Tiger --  
14:37:53 12 and made it clear that we did not have the skills  
14:37:56 13 to complete a video. So we would come up with an  
14:38:01 14 alternative culminating project for the class. And  
14:38:04 15 we recommended podcasting, which the students were  
14:38:08 16 extremely excited about.

14:38:10 17          **Q.**     Okay. Who was excited about the  
14:38:13 18 podcasting?

14:38:13 19          **A.**     All of the students in the class.

14:38:16 20          **Q.**     And how did they express their  
14:38:20 21 excitement?

14:38:20 22          **A.**     They were very enthusiastic about the  
14:38:23 23 idea. We planned what the podcasts would be. We

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14:38:27 1 identified two students who would host the  
14:38:31 2 podcasts, which we called Canisius Conservation  
14:38:36 3 Conversations. And that was Sierra Boucher and  
14:38:41 4 [REDACTED]

5 They were the hosts and engineers of the  
14:38:42 6 podcasts. And they did interviews with the other  
14:38:45 7 students. It was very successful. We even  
14:38:46 8 continued it for another year afterwards and hired  
14:38:50 9 Sierra and [REDACTED] as the hosts.

14:38:53 10 Q. Was the decision to make podcasts  
14:38:57 11 instead of the documentary based on your ability to  
14:39:03 12 make podcasts?

14:39:05 13 A. I personally do not have that skill  
14:39:09 14 set, but we knew that [REDACTED] and Sierra did. And  
14:39:13 15 Dr. Russell had some experience doing that.

14:39:16 16 Q. Okay. And you knew that Sierra and  
14:39:19 17 [REDACTED] had podcast development experience based on  
14:39:24 18 what?

14:39:24 19 A. Conversations with them during -- in  
14:39:27 20 the context of the Project Tiger meetings.

14:39:28 21 Q. Okay. Is any -- is that memorialized  
14:39:34 22 anywhere in writing?

14:39:36 23 A. We probably have some course-related

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14:54:41 1 Q. You know that employers where you've  
14:54:44 2 left the position backed up your computers?

14:54:47 3 A. They retain the records.

14:54:48 4 Q. Okay.

14:54:48 5 A. A copy of the records.

14:54:50 6 Q. So will you agree with me then that by  
14:54:58 7 February 20th, 2019, Canisius had a fully backed up  
14:55:06 8 version of Project Tiger files, correct?

14:55:09 9 A. Yes.

14:55:09 10 Q. You wrote to Dr. McCarthy that it was  
14:55:19 11 your decision that the students made podcasts  
14:55:25 12 rather than complete the documentary, which was the  
14:55:29 13 original aim of that class, correct?

14:55:30 14 A. Yes.

14:55:30 15 Q. And why did you make that decision?

14:55:35 16 A. Two reasons. One, I did not have the  
14:55:39 17 skill set to help with video editing. And two, the  
14:55:45 18 video files that is the data belong to the -- the  
14:55:51 19 principal investigator on a research project. So  
14:55:55 20 they belonged to Dr. Noonan.

14:55:56 21 Q. You also didn't have the skill set to  
14:55:59 22 make a podcast, correct?

14:56:02 23 A. This is true, but Canisius had support

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15:14:52 1           **THE WITNESS:** That is not what it says.

15:14:55 2 That's correct.

15:14:55 3           **BY MS. NANAU:**

15:14:55 4           **Q.** It says: The college does technically  
15:14:58 5 own it, correct?

15:14:58 6           **A.** It says: Even if the college  
15:15:00 7 technically owns it. It was not clear who owned  
15:15:04 8 the rights to it. And I also want to point out  
15:15:07 9 that this -- the intellectual property rights is  
15:15:10 10 dated the same as this event. So this policy  
15:15:14 11 wasn't even in effect officially three days before.

15:15:17 12           **Q.** Okay, Dr. Margulis. I don't have  
15:15:20 13 another property rights policy for Canisius.

15:15:23 14           **A.** Yes.

15:15:23 15           **Q.** So I'm just going with what I've been  
15:15:26 16 provided.

15:15:26 17           **A.** Yes. There wasn't one.

15:15:28 18           **Q.** Okay. So if there wasn't one, then who  
15:15:31 19 did -- who owned the -- the footage?

15:15:36 20           **MR. D'ANTONIO:** Objection. Asked and  
15:15:37 21 answered. You may answer.

15:15:39 22           **THE WITNESS:** The -- the owner of any  
15:15:43 23 scholarly work is the researcher. That is the norm

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15:15:47 1 in academia. Therefore, Dr. Noonan owned the  
15:15:50 2 footage.

15:15:50 3 **BY MS. NANAU:**

15:15:50 4 **Q.** Okay. But there was no policy in place  
15:15:54 5 to memorialize this norm that you're talking about,  
15:16:00 6 correct?

15:16:01 7 **A.** Correct.

15:16:01 8 **Q.** And Canisius paid for the trip,  
15:16:09 9 correct?

15:16:10 10 **MR. D'ANTONIO:** Objection.

15:16:11 11 **THE WITNESS:** No.

15:16:12 12 **MR. D'ANTONIO:** Form.

15:16:13 13 **BY MS. NANAU:**

15:16:13 14 **Q.** Okay. Well, it was a Canisius College  
15:16:15 15 trip, correct?

15:16:16 16 **A.** Correct.

15:16:16 17 **Q.** It was -- the Project Tiger video was  
15:16:20 18 supposed to be the product of a Canisius class,  
15:16:23 19 correct?

15:16:24 20 **A.** Correct.

15:16:24 21 **Q.** And there was no policy that afforded  
15:16:29 22 Dr. Noonan intellectual property rights over that  
23 footage at that time, correct?

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15:19:55 1 **A.** Yes.

15:19:56 2 **MR. D'ANTONIO:** Film meaning the video?

15:20:02 3 **THE WITNESS:** The footage.

4 **MS. NANAU:** The footage.

5 **MR. D'ANTONIO:** Yes.

6 **BY MS. NANAU:**

15:20:05 7 **Q.** When was that?

15:20:05 8 **A.** I don't recall. I think it was

15:20:08 9 probably fall -- or -- yeah, fall 2019.

15:20:12 10 **Q.** What happened between your e-mail to

15:20:41 11 Dr. McCarthy in March of 2019, where you expressed

15:20:48 12 that you are uncomfortable with the students using

15:20:53 13 any of the video to the time when the students were

15:20:58 14 afforded the footage?

15:21:00 15 **A.** To be clear, I was uncomfortable with

15:21:03 16 them using the footage in the context of the class.

15:21:07 17 They also were not able to present it or sell it in

15:21:11 18 any formal way. But if they wanted to use it for

15:21:15 19 their own purposes, like for a digital media arts

15:21:20 20 project, that was fine. And I encouraged Sierra to

15:21:25 21 do that.

15:21:25 22 **Q.** You were uncomfortable with the

15:21:29 23 students of the Project Tiger class using the video

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15:21:33 1 footage for that class?

15:21:34 2 **A.** Yes.

15:21:35 3 **Q.** Why?

15:21:36 4 **A.** They wouldn't be able to share it  
15:21:38 5 widely.

15:21:39 6 **Q.** And why is that?

15:21:40 7 **A.** Because they didn't own it. It was  
15:21:43 8 Dr. Noonan's intellectual property.

15:21:46 9 **Q.** Okay. So if they used it for any other  
15:21:49 10 purpose, then that was okay?

15:21:51 11 **A.** They could use it for personal  
15:21:54 12 purposes. For example, for a portfolio.

15:21:57 13 **Q.** And again, this was based on what?  
15:22:01 14 Your -- this -- your view of what they could and  
15:22:05 15 could not use the video footage was -- what was  
15:22:09 16 that based on?

15:22:09 17 **A.** The standard academic principal of  
15:22:13 18 ownership of one's data.

15:22:15 19 **Q.** Which is memorialized where?

15:22:17 20 **A.** I own my data. If I leave Canisius, my  
15:22:20 21 data comes with me.

15:22:21 22 **Q.** Okay. I understand. But I am --  
15:22:25 23 that's not my question. My question is: Where is

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16:33:00 1 having to pay extra.

16:33:01 2 I informed her that while I could not do  
16:33:02 3 that, I would be able to -- I would be willing to  
16:33:05 4 count a one-credit seminar that she took to fulfill  
16:33:10 5 that remaining one ABEC elective credit so she  
16:33:12 6 could complete both majors and remain under that  
16:33:16 7 credit limit cap. So I met her requirement.

16:33:21 8 Q. Okay. Well, she was -- she was asking  
16:33:24 9 actually for credit for the anthrozoology class so  
16:33:30 10 she wouldn't have to make up additional -- she  
16:33:35 11 wouldn't have to take additional classes to meet  
16:33:38 12 the ABEC elective credits requirements, correct?

16:33:40 13 A. No. She would still have had to have  
16:33:44 14 completed at least four credits. And since classes  
16:33:45 15 are three credits, that means six credits. She  
16:33:50 16 needed seven more credits in ABEC.

16:33:53 17 Q. Right, right. She needed seven more  
16:33:56 18 credits and she was asking for you to give her  
16:33:59 19 credit for the anthrozoology class, which was three  
16:34:02 20 credits --

21 A. Three credits.

16:34:02 22 Q. -- so then she would have only had to  
16:34:03 23 do four credits?

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16:49:27 1 covered his classes. Canceling only one class in  
16:49:32 2 that time period was a monumental undertaking.

16:49:35 3 As far as his research students go, I met  
16:49:38 4 with every one of them. And we did our best to  
16:49:42 5 find ways for them to either complete the research  
16:49:45 6 that they were doing or switch their research to  
16:49:48 7 something that would be equally beneficial to them.

16:49:51 8 That includes one student who had planned an  
16:49:56 9 independent study at Marineland. And I was able to  
16:50:00 10 arrange for her to be able to do that at the  
16:50:03 11 Aquarium of Niagara instead if she so chose. She  
16:50:06 12 chose not to, but the Aquarium was willing to make  
16:50:10 13 exceptions and allow her to do that.

16:50:10 14 We connected all of research students with  
16:50:14 15 Dr. Hoffman for advice with analyzing their data so  
16:50:19 16 all of them could present it at Ignatian  
16:50:21 17 Scholarship Day.

16:50:22 18 For the Project Tiger students, we again met  
16:50:25 19 with them as quickly as possible, so they really  
16:50:29 20 didn't miss a beat other than switching what the  
16:50:33 21 culminating project would be. And they certainly  
16:50:35 22 seemed amendable to that decision at the time.

16:50:37 23 We reassigned all the Dr. Noonan's advisees

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16:50:42 1 within a day such that they always had an advisor.  
16:50:45 2 They could look in the Canisius portal who their  
16:50:48 3 advisor was. And it was no longer listed as  
16:50:51 4 Dr. Noonan.

16:50:51 5 So there was never a reason for anyone to  
16:50:52 6 say that they did not have an advisor in the ABEC  
16:50:54 7 department. They always did.

16:50:56 8 And because of our open-door policy, they  
16:51:00 9 could come talk to any of us if they needed help  
16:51:03 10 with courses, with graduation requirements, and so  
16:51:07 11 on.

16:51:09 12 Q. Did you provide or arrange to provide  
16:51:13 13 letters of recommendation if the students needed  
16:51:16 14 them?

16:51:16 15 A. Oh, absolutely.

16:51:17 16 Q. Okay. As far as you know, did any  
16:51:19 17 student in the ABEC department ever request a  
16:51:22 18 letter of recommendation and not get one?

16:51:25 19 A. Sometimes, a student will ask me for a  
16:51:30 20 letter and it might be a student I had in one class  
16:51:33 21 and don't know very well. So I'll often say, well,  
16:51:36 22 I can write it for you, but if there's someone who  
16:51:39 23 knows you better, that would be a better option.

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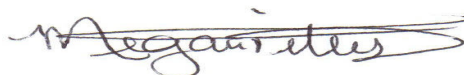
5 I DO HEREBY CERTIFY as a Notary Public in and  
6 for the State of New York, that I did attend and  
7 report the foregoing deposition, which was taken  
8 down by me in a verbatim manner by means of machine  
9 shorthand. Further, that the deposition was then  
10 reduced to writing in my presence and under my  
11 direction. That the deposition was taken to be  
12 used in the foregoing entitled action. That the  
13 said deponent, before examination, was duly sworn  
14 to testify to the truth, the whole truth and  
15 nothing but the truth, relative to said action.

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MEGAN TITUS,  
Notary Public.

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